

CALEB WARNER.

MAY 18, 1860.—Ordered to be printed.

Mr. McPHERSON, from the Committee on Public Buildings and Grounds, made the following

REPORT.

The Committee on Public Buildings and Grounds, to whom was referred the petition of Caleb Warner for relief, report adversely to the prayer of said petitioner, for reasons stated in the report of the superintendent of the Capitol extension, to whose office the subject was referred for examination.

The report is adopted by the committee, and is as follows :

OFFICE U. S. CAPITOL EXTENSION,  
*Washington, April 27, 1860.*

SIR: I have received your note of the 26th instant, enclosing a petition from Caleb Warner, and asking for such information on the subject as I may have.

I find that Mr. Warner made a contract with Provost, Winter & Co., contractors for marble cutting at the Capitol, for turning certain marble balusters, and that at his request Captain Meigs, my predecessor, *allowe*d him to erect a shop adjacent to the government machine shop, and furnished him with steam power free of expense, thus relieving him of any outlay for rent and power.

A fire occurred in August last, as stated by the petitioner, which destroyed the government shops, and with them that of Mr. Warner. These buildings were faithfully guarded by watchmen, and the likelihood of loss by fire was less than it is in private shops. If Mr. Warner had chosen to get his property insured, he would probably have found no difficulty in obtaining a policy at a small rate. But in any event, I do not think that the government is responsible for Mr. Warner's loss, as I cannot find that he was *required* to do the work upon the government grounds at all.

If the committee is desirous of reporting a bill in Mr. Warner's favor, I will try to have the amount of his loss stated; but there are no data in this office at present from which it can be obtained.

Mr. Warner has presented his claim to this office before, and I here-

with enclose a letter from my predecessor to him, dated September 26, 1859, rejecting the claim.

Mr. Warner's petition is herewith returned.

Very respectfully, your obedient servant,

W. B. FRANKLIN,

*Captain Top. Engineers, in charge of Capitol extension.*

Hon. EDWARD MCPHERSON,

*Committee on Public Buildings and Grounds,*

*House of Representatives.*

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CAPITOL EXTENSION,

*Washington, September 26, 1859.*

SIR: Your letter of the 22d instant, enclosing a copy of one addressed by you to Messrs. Provest, Winter & Co., is received.

Your contract for turning the balusters for the Capitol is with Provest, Winter & Co., and the United States has no part in it, nor any control over these gentlemen's business with you.

You are mistaken in supposing the United States to be in any way responsible for the loss of your lathes and tools by fire. You were allowed, at your request, to put up a room alongside of the United States machine shop, and were furnished with power free of cost or charge to you or the contractors. All these privileges were a free gift to you.

A fire destroyed the United States shop and machinery, and the same fire destroyed the shop you had been allowed to build, and the machinery contained therein. There is not in this the least ground for a claim against the United States.

I regret your loss, but cannot acknowledge on the part of the United States any liability for it.

I am, respectfully, your obedient servant,

M. C. MEIGS,

*Captain of Engineers, in charge.*

Mr. CALEB WARNER,

*Washington, D. C.*